

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOHNNY SATTERWHITE,	§	
	§	
Plaintiff,	§	
VS.	§	MISCELLANEOUS ACTION NO. C-11-79
	§	
DEPARTMENT OF TREASURY,	§	
	§	
Defendant.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO DENY PLAINTIFF'S MOTION TO PROCEED *IN FORMA PAUPERIS*
AND TO DISMISS PLAINTIFF'S ACTION**

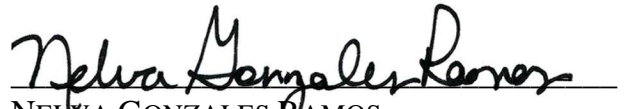
On March 16, 2012, United States Magistrate Judge Brian L. Owsley issued his "Memorandum and Recommendation to Deny Plaintiff's Motion to Proceed *In Forma Pauperis* and to Dismiss Plaintiff's Action" (D.E. 8). The Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge's Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge's memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge's memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's Memorandum and Recommendation (D.E. 8), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Plaintiff's "Application to Proceed In District Court Without Prepaying Fees or Costs" (D.E. 1) is **DENIED** and this action is **DISMISSED WITH PREJUDICE** for lack of jurisdiction.

ORDERED this 6th day of June, 2012.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE